

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MURASHEA BOVELL,

Plaintiff,

ORDER

-against-

21-cv-1621 (AEK)

CITY OF MOUNT VERNON,
NEW YORK, *et al.*,

Defendants.

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THE HONORABLE ANDREW E. KRAUSE, U.S.M.J.

Following the Court’s denial of Defendants’ “extremely delayed” request for leave to file a motion for summary judgment, ECF No. 51, the Court permitted Defendants to “file a pretrial memorandum of law that does not duplicate the issues addressed in any of the other pretrial submissions” *id.* at 2 (quoting Individual Practices of Magistrate Judge Krause, § 6.C.3), and Plaintiff to file a response to “enable the Court to be fully informed of the parties’ positions on legal issues that Defendants are likely to present to the Court for determination pursuant to Rule 50 of the Federal Rules of Civil Procedure upon the close of Plaintiff’s case in chief at trial,” *id.* Defendants subsequently filed their pretrial memorandum, ECF No. 64, and Plaintiff filed his response thereto, ECF No. 67.

To the extent that Defendants make the same arguments in their pretrial memorandum that they make in their motions *in limine*, compare ECF No. 55 at 8-12 (Motion No. 1), 15-16 (Motion No. 4), 16-17 (Motion No. 5) with ECF No. 64 at 7-13, the Court has decided the motions *in limine* in a separate Opinion and Order issued earlier today. The Court reserves decision on the remaining arguments asserted in Defendants’ pretrial memorandum. Defendants

will be able to renew those arguments at trial if they decide to make a Rule 50 motion at the close of Plaintiff's case in chief.

Dated: May 18, 2023
White Plains, New York

SO ORDERED.



ANDREW E. KRAUSE
United States Magistrate Judge